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**HOUSE COMMITTEE ON NATURAL RESOURCES
OVERSIGHT HEARING**

**THE CALIFORNIA DROUGHT:
ACTIONS BY FEDERAL AND STATE AGENCIES TO ADDRESS IMPACTS ON
LANDS, FISHERIES AND WATER USERS**

MARCH 31, 2009

Mr. Chairman,

I would like to thank the Chairman and the Committee for holding this hearing in order to highlight the severe impacts of the drought in California.

As you know, the State of California is experiencing a drought for the third consecutive year. Although the recent storms in March have helped to increase the snow pack, some areas of the state are still facing a crisis that in many ways is the equivalent of Hurricane Katrina, particularly on the west side of the San Joaquin Valley in my congressional district. This is the case because of the “man-made drought,” or regulatory drought, that has resulted from court and agency environmental regulatory actions.

In 1992, Congress adopted the Central Valley Project Improvement Act, which reallocated 1.2 million acre feet of water from the CVP to fisheries, wildlife refuges, and water quality projects. In 2007, a federal court ordered severe curtailment of state and federal pumps in the Bay Delta in order to comply with the Endangered Species Act, resulting in over 700,000 acre feet of water going out to the ocean. In compliance with the court order, the Bureau of Reclamation and the Fish and Wildlife Service have updated their Biological Opinions for the projects and, as a result, almost 300,000 acre feet of water have been lost just since February of this year. The real tragedy is that despite all of this water being set aside for environmental purposes, the fisheries continue to decline—evidence that other factors are clearly at play.

However, the court and agency actions do not take these other factors into account. State and federal agencies have exacerbated the problem by failing to exercise discretion to provide flexibility in the operation of the system. Instead they have used the ESA as a regulatory hammer, preventing water conveyance, transfers, and storage, even when water supplies were plentiful prior to the drought.

The result of these actions is that CVP allocation for South-of-Delta farmers is at ZERO percent, and the state contractors’ allocation is at 20 percent. Farmers will fallow over 300,000 acres and over 32,000 ag jobs will be lost, causing some farming towns to be at almost 50 percent unemployment.

Water is the life blood of rural farming communities in California's San Joaquin Valley and zero or near-zero water supplies will cripple these rural communities. Because job losses are concentrated among low-wage farm workers who have few alternatives for other work, state and local social services budgets will be further stressed as well.

This crisis will also have an impact on our nation's food security and food safety. Over 50 percent of our nation's supply of fruits, vegetables, and nuts are grown in California, and unless the federal government takes action to address the severity of this crisis, we will become even more reliant upon foreign food sources.

The drought will send an additional ripple effect throughout the state's and nation's economies when we can least afford it. These water shortages will lead to an increase in food prices, further overwhelming consumers at a time when they can least afford it.

Experts also predict that this crisis will significant dent in our nation's agricultural trade surplus. Historically, the agricultural sector has one of the few remaining trade surpluses that our nation can claim. As the top agricultural export state, California agriculture accounts for \$11 billion in annual agricultural exports—over 15 percent of all U.S. agricultural exports.

I commend Department of Interior Secretary Salazar and Department of Agriculture Secretary Vilsack for forming a Federal Drought Action Team. This team needs to be appointed immediately and should take swift action to blunt the impact of this crisis. Specifically, we need flexibility in the implementation of environmental regulations in order to facilitate water transfers and to obtain additional short term water supplies. The team also needs to work with us to locate projects that will help to develop short-term water supplies.

Our state's population has almost doubled since the last dam was constructed, and is expected to double again over the next 30 years. We need the Administration's leadership in working with the state on long-term solutions for California's water future, including constructing more storage facilities, improved conveyance, and more sustainable management of the Delta.

Again, thank you for holding today's hearing and for the opportunity to present my comments.